

12/22/2016

Jessica L. Owen
6725 Smoketree Pass
Appleton, WI 54913

RE: DECLARATION AND ORDER OF PROHIBITED DANGEROUS ANIMAL

Jessica L. Owen,

Please let this letter and the attached order serve as your notice that the City of Appleton's Humane Officer has formally declared your animal, KINLEY, F, N-, L+ 2016, R+, DECLARED DANGEROUS ON 09/15/16, ALL BLACK IN COLOR, as a **prohibited dangerous animal**, pursuant to the City of Appleton Municipal Code, Section 3-134.

I have declared your animal as a prohibited dangerous animal after conducting my investigation, which is summarized below:

- On 11/25/2016 Appleton Police Department personnel were alerted to the fact that Kinley was not in the control of anyone and becoming a public nuisance. A citation for not being in control of a dangerous animal was given. The rules of harboring a dangerous animal were once again explained to Jessica. (Ref. #16-046024).
- On 12/22/2016 Kinley, was involved in another animal at large, animal molestation, and failure to confine a dangerous animal. Kinley was off her property and charged at a neighbor who was on his property. (Ref. #16-048683).

Due to repeated instances in a short time of Kinley (KINLEY, F, N-, L+ 2016, R+, DECLARED DANGEROUS ON 09/15/16, ALL BLACK IN COLOR) not being under the control of an owner, it has been determined that the dog "Kinley" is a dangerous animal that should be prohibited within the City of Appleton.

IMMEDIATE ACTION IS REQUIRED:

Because Kinley has been declared as a prohibited dangerous animal, you must not bring the animal into or keep the animal within the City of Appleton. You must immediately comply with this order, pursuant to City of Appleton Municipal Ordinance 3-134. You may arrange for the animal to be held outside of the City, or the animal will be confined subject to Wis. Stat. 173.21. The pertinent section of the municipal code is attached to this document. This order is intended to protect against injurious results to human beings and domestic pets caused by unprovoked attacks by your animal.

APPEAL RIGHTS ARE TIME-SENSITIVE:

If you or any other owner or caretaker of the above-named animal wishes to contest the attached Order, **within 72 hours YOU MUST deliver to the Health Officer a written objection** to the order stating specific reasons for contesting the order. Failure to timely file an objection will result in your forfeiture of the right to appeal this Order.

The health officer Kurt Eggebrecht, M.Ed. with the City of Appleton Health Department can be reached at:

Kurt Eggebrecht, M.Ed.
100 North Appleton Street
Appleton, WI 54911

Phone: 920-832-6429

Fax: 920-832-5853

Email: kurt.eggebrecht@appleton.org

I have enclosed copies of the City of Appleton Municipal Ordinances pertaining to this matter. Please review and comply with City of Appleton Municipal Code Section sections 3-1, 3-2, 3-131, 3-132, 3-133, and 3-134.

If you have any further question, please contact the City of Appleton Health Department.

Sincerely,

Matt Fillebrown
Lead CSO #9563 / Humane Officer
Appleton Police Department

Enclosures:

Order

City of Appleton Municipal Code Sections 3-1, 3-2, 3-131, 3-132, 3-133, 3-134

CC: Lt. Kelly Gady, Appleton Police Department, ACA Amanda Jadin, Appleton City Attorney's Office, and Kurt Eggebrecht, Health Department

IN THE CITY OF APPLETON,
OUTAGAMIE COUNTY,
STATE OF WISCONSIN

CITY OF APPLETON
A Wisconsin Municipal Corporation

Petitioner,

v.

Jessica L. Owen
As owner of Kinley (KINLEY, F, N-, L+ 2016, R+, DECLARED DANGEROUS ON 09/15/16, ALL BLACK
IN COLOR)

Respondent.


ORDER DECLARING PROHIBITED DANGEROUS ANIMAL

As the owner and/or caretaker of the above-named animal, you are hereby notified that the City of Appleton has declared that the above-named animal is a prohibited dangerous animal pursuant to the City of Appleton's Municipal Code 3-134.

Because the animal has been declared as a prohibited dangerous animal, you are further notified that you must immediately comply with the requirements of City of Appleton Municipal Code Section 3-134(a). You may arrange for the animal to be held outside of the City, or the animal will be confined, pursuant to 3-134(b)(3).

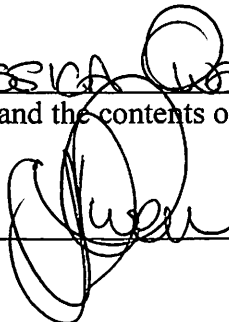
This order remains in effect, even if appealed, until modified or withdrawn. This order is in effect for the lifetime of the animal.

SO ORDERED, this 22 day of December, 2016 at _____ am/pm.


Matthew Fillebrown, Certified Humane Officer
Appleton Police Dept. City of Appleton, WI

I, Jessica Owen (respondent's printed name), acknowledge receipt of this order and understand the contents of the order, including the time limits if I wish to appeal.

Signed: _____


Disagree

Date: 10/22/16